

Message Text

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ACTION NEA-10

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E.O. 11652: N/A
TAGS: USIRJC, IR
SUBJ: U.S.-IRAN SOCIAL SECURITY AGREEMENT

REF: (A) STATE 181714, (B) TEHRAN 6656

1. UPON RECEIPT OF REF A EMBASSY DRAFTED STATEMENT OF PROPOSED GENERAL PRINCIPLES OF SOCIAL SECURITY AGREEMENT BUT SO FAR HAS BEEN UNABLE TO ARRANGE MEETING WITH OFFICIALS OF SOCIAL SECURITY ADMINISTRATION TO DISCUSS DRAFT. DIFFICULTY MAY STEM FROM RECENT REPLACEMENT OF MINISTER OF HEALTH. THE PROPOSED TEXT OF GENERAL PRINCIPLES INCORPORATES POINTS MENTIONED IN REF A, USING THE U.S.-GERMAN AGREEMENT AS A MODEL, WHILE ALSO REFLECTING IRANIAN WISH TO AVOID INCLUSION OF HEALTH BENEFITS (REF B). WE SHALL CONTINUE TO SEEK A MEETING AND IN THE MEANTIME WOULD APPRECIATE DEPARTMENT'S COMMENTS ON DRAFT.

2. PROPOSED STATEMENT OF GENERAL PRINCIPLES IS AS FOLLOWS.
BEGIN TEXT.
AGREEING THAT IT WOULD BE DESIRABLE TO REGULATE THE RELATIONSHIP BETWEEN THE UNITED STATES AND IRAN IN THE AREA OF SOCIAL SECURITY AN AGREEMENT TO THIS EFFECT SHOULD INCLUDE THE FOLLOWING PRINCIPLES:
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(A) THE EMPLOYMENT OF PERSONS WITHIN THE TERRITORY OF ONE CONTRACTING STATE SHALL CONTINUE TO BE SUBJECT TO THE LAWS ON COMPULSORY COVERAGE OF ONLY THE OTHER CONTRACTING STATE AS IF THEY WERE STILL WORKING IN THE TERRITORY OF THE OTHER CONTRACTING STATE.

(B) THE EXEMPTION NOTED ABOVE SHALL BE SUBJECT TO CERTIFICATION BY THE AGENCY OF THE STATE IN WHICH THE PERIODS OF WORK ARE COVERED UNDER ITS LAWS.

(C) BOTH CONTRACTING STATES SHALL ASSIST EACH OTHER IN APPLYING SUCH AGREEMENT AND IN IMPLEMENTING EACH OTHERS LAWS AND SHALL EXCHANGE ALL NECESSARY INFORMATION RELATING TO REGULATIONS, ADMINISTRATIVE PROCEDURES AND AMENDMENTS TO THEIR LAWS WHICH MIGHT AFFECT THE APPLICATION OF SUCH AGREEMENT.

(D) EFFECTIVE UPON A MUTUALLY-AGREED-UPON FUTURE DATE FOLLOWING CONCLUSION OF THE AGREEMENT, WHERE PERIODS OF COVERAGE HAVE BEEN COMPLETED UNDER THE LAWS OF BOTH STATES THE AGENCY IN EACH STATE WHICH DETERMINES THE ENTITLEMENT TO CASH BENEFITS AND BENEFITS IN HAND UNDER ITS LAWS SHALL TAKE ACCOUNT OF PERIODS OF COVERAGE WHICH ARE CREDITABLE UNDER THE LAWS OF THE OTHER STATE AND WHICH DO NOT COINCIDE WITH PERIODS OF COVERAGE CREDITED UNDER ITS OWN LAWS.

(E) FOR THE PURPOSES OF THE AGREEMENT, MEDICAL CARE AND BENEFITS SHALL BE EXCLUDED.

END TEXT.

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